

ARTICLE IV. PUBLIC JUNIOR COLLEGES

Section 1. There is hereby appropriated from moneys in the State Treasury not otherwise appropriated the sum of Two Million Six Hundred Ten Thousand Dollars (\$2,610,000) for the fiscal year beginning September 1, 1953, and the sum of Two Million Six Hundred Ten Thousand Dollars (\$2,610,000) for the fiscal year beginning September 1, 1954, or as much thereof as may be necessary to pay the per capita apportionment provided for in subdivision (b) of Section 4 hereof, to be paid to the Public Junior Colleges of Texas which meet the standards herein required; and such sums shall be apportioned on the basis and in the manner hereinafter provided.

There is also hereby appropriated for each of these fiscal years the sum of Eighteen Thousand Dollars (\$18,000) to the Texas Central Education Agency and the sum of Ten Thousand Dollars (\$10,000) to the State Auditor for the necessary expense of carrying out the functions and responsibilities assigned to each by this Article.

Any amount appropriated herein and not used during the fiscal year ending August 31, 1954, is hereby reappropriated to be used for the same purpose during the next fiscal year.

Sec. 2. To be eligible for and to receive a proportionate share of this appropriation, a Public Junior College must be so certified by the Commissioner of Education in accordance with rules and regulations adopted by the State Board of Education which shall give consideration to the following factors:

(a) The compliance by each Public Junior College participating in this appropriation with existing laws, rules, and regulations.

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governing the establishment and maintenance of Public Junior Colleges;

(b) The minimum number of students for efficient operation, the size and quality of the instructional staff, the character of courses of study offered, the adequacy of physical facilities of instruction, and the adequacy of local financial support;

(c) The equivalency in the standards of instruction in the courses of study of each Public Junior College to the standards maintained in the accredited four-year State-supported institutions of higher learning. Only such courses as are offered by one (1) or more of said four-year institutions and which meet such standards shall be counted in determining the amount of State Aid to be apportioned to the various eligible Public Junior Colleges; and

(d) The offering of at least twenty-four (24) semester hours of vocational and/or technical courses of study.

The Texas Central Education Agency shall determine whether each eligible Public Junior College has complied with all the provisions of this section; shall determine each College's list of courses on which participation herein is to be based; and shall certify its findings and such lists to the State Auditor not later than November 1st of each year.

Sec. 3. It is further provided that to be eligible for and to receive a proportionate share of this appropriation, a Public Junior College shall:

(a) Prior to November 1st of each year, collect in full as tuition from each enrolled student (except those who may be exempt

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by State law) the amounts set as such by the respective governing boards, provided, however, that said amounts shall be at least as much as is required by law for State-supported institutions of higher learning under Art. 2654C, R.C.S., and provided further that valid contracts with the United States Government for instruction of undergraduate military personnel may be considered as collections subject to adjustment after final payments thereof.

(b) Use a financial reporting system which has been approved by the State Auditor, and furnish him with such reports and information as he may require.

Sec. 4. (a) The sums appropriated herein shall be apportioned among the following Public Junior Colleges which may qualify within the requirements of this Act:

Alvin Junior College at Alvin

Amarillo Junior College at Amarillo

Blinn Junior College at Brenham

Cisco Junior College at Cisco

Clarendon Junior College at Clarendon

Del Mar Junior College at Corpus Christi

Frank Phillips Junior College at Borger

Gainesville Junior College at Gainesville

Hardin Junior College of Midwestern University at Wichita Falls

Henderson County Junior College at Athens

Howard County Junior College at Big Spring

Kilgore Junior College at Kilgore

Laredo Junior College at Laredo

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Lee Junior College at Baytown

Navarro County Junior College at Corsicana

Odessa Junior College at Odessa

Pan American Regional Junior College at Edinburg

Panola County Junior College at Carthage

Paris Junior College at Paris

Ranger Junior College at Ranger

San Angelo Junior College at San Angelo

San Antonio Junior College at San Antonio

Southwest Texas Joint Counties Junior College at Uvalde

Temple Junior College at Temple

Texarkana Junior College at Texarkana

Texas Southmost College at Brownsville

Tyler Junior College at Tyler

University of Houston Junior College Division

Victoria Junior College at Victoria

Weatherford Junior College at Weatherford

Wharton County Junior College at Wharton

(b) The funds herein appropriated for payment as per capita apportionment shall be disbursed to the Public Junior Colleges, which qualify to receive such, on the basis of Two Hundred Thirty Dollars (\$230) for each full-time student equivalent up to and including Two Hundred Fifty (250) full-time student equivalents and One Hundred Eighty-nine Dollars (\$189) for each full-time student equivalent in excess of Two Hundred Fifty (250); provided, however, that if the amounts appropriated in Section 1 of this Article are not sufficient to pay the full amount which each

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Junior College would be entitled to receive under this subdivision, then the amount to be paid to each shall be proportional to the amount that would have been paid if full payment could have been made.

"Full-time student equivalent" as hereinabove used shall be defined as fifteen (15) semester hours. Semester hours to be counted for each Public Junior College shall not include those hours in excess of eighteen (18) hours being carried by any student, nor those hours being carried by any student in excess of a total of sixty-four (64) hours earned in an accredited College, nor those hours being carried by any student receiving the benefits of U. S. Public Laws Nos. 346 or 16, 78th Congress, nor those hours being taught by any College in "off-campus" or extension classes except such as have been taught during the 1952-1953 Fall or Spring semester, nor those hours being carried by any student who has not paid in full before November 1st the fees required to be collected under Section 3 (a) above.

Sec. 5. The expenditure by a Public Junior College of any funds received by it under the provisions of this Article shall be limited to the payment of instructional salaries and the purchase of supplies and materials required for instructional purposes.

Sec. 6. The compliance of each Public Junior College with the requirements set forth in Sections 3, 4, and 5 of this Article shall be ascertained by the State Auditor who shall also audit the pertinent books and records of each College to determine the number of full-time student equivalents to be approved for apportionment purposes under this Article; then he shall

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certify immediately his findings to the Texas Central Education Agency.

Sec. 7. Vouchers for disbursement of the sums appropriated herein shall be prepared by the Texas Central Education Agency on the basis of the State Auditor's findings as prescribed in Section 6 hereof. It is expressly provided that the Texas Central Education Agency may in October of each year prepare vouchers for payment to each eligible Junior College of an installment not to exceed fifty per cent (50%) of the lesser of the following two (2) amounts: (1) the State apportionment such College received for the preceding fiscal year, or (2) an estimate certified by each College president as to the probable total apportionment that will be due his College for the current fiscal year. After the receipt of the State Auditor's certificate, the Texas Central Education Agency shall prepare vouchers for the payment of the balance due each College for that fiscal year after deducting such installment payment previously made. In submitting vouchers for disbursement of the funds herein appropriated, the Texas Central Education Agency shall certify to the State Comptroller of Public Accounts that each school listed has qualified and is entitled to receive such funds under the terms of this Article.

Sec. 8. Any deliberate falsification by any official or employee of any Public Junior College of the student enrollment records or the records of tuition payments and receipts whereby that College's share of Public Junior College State Aid has been or would be illegally increased, shall cause the withdrawal of all further financial aid provided under this Article. The State Auditor is hereby directed to report any instances which

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in his opinion constitute such falsification of records to the Legislative Audit Committee, and whenever the Committee finds, after giving the college adequate notice and fair hearing, that a deliberate and intentional falsification of records has occurred, the Committee shall certify its findings to the State Comptroller who shall deny payment of any further funds herein appropriated to such Public Junior College.